

**MONDAY, MARCH 20, 1978**

**SEVENTY-SEVENTH LEGISLATIVE DAY**

The House met at 4:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Charles R. Ashford of Shelby County.

Representative Ashford led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present ..... 96

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 96.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bills Nos. 798, 1548, 1549, 1610, 1636, 1744, 1765, 2072, 2151, 2211, 2256 and 2467, with his approval.

**EDDIE SISK,**  
Counsel to the Governor.

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1480, 1746, 1949, 2031, 2477, 2481, 2493, 2494, 2495, 2496, 2497, 2498 and 2536; and House Joint Resolutions Nos. 297, 329, 347, 355, 364, 369, 375, 400 and 448; for his action.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

MONDAY, MARCH 20, 1978 — 77TH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1187, 1531, 1545, 1563, 1579, 1607, 1631, 1637, 1703, 1710, 1726, 1776, 1917, 1928, 1939, 1944, 2099, 2158, 2209, 2413, 2465, 2469 and 2470, and Senate Joint Resolution No. 232; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 1187, 1531, 1545, 1563, 1579, 1607, 1631, 1637, 1703, 1710, 1726, 1776, 1917, 1928, 1939, 1944, 2099, 2158, 2209, 2413, 2465, 2469 and 2470; and Senate Joint Resolution No. 232.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 2477, 2481, 2493, 2494, 2495, 2496, 2497, 2498 and 2536, and House Joint Resolution Nos. 297, 326, 329, 347, 355, 362, 364, 369, 374, 375, 448, 454, 455, 456 and 457, with his approval.

EDDIE SISK,  
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 273, 861, 1033, 1648, 1745, 1873, 1949, 2007, 2031, 2048, 2049, 2254, 2320, 2328, 2363, 2388 and 2483, and House Joint Resolution No. 400 with his approval.

EDDIE SISK,  
Counsel to the Governor.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 651, 1690, 1729, 1837 and 2291; House Resolutions Nos. 129, 132 and 133; and House Joint Resolutions Nos. 287, 307, 350, 351, 391, 393, 394, 395, 446 and 447; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 651, 1690, 1729, 1837 and 2291; House Resolutions Nos. 129, 132 and 133; and House Joint Resolutions Nos. 287, 307, 350, 351, 391, 393, 394, 395, 446 and 447.

CALENDAR

House Bill No. 1764 — To fix salary, Executive Secretary, District Attorney's General Conference.

Mr. Lanier moved that House Bill No. 1764 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	66
Noes.....	11
Present and not voting .....	8

Representatives voting aye were: Atchley, Bell, Bissell, Blackburn, Bussart, Butler, Byrd, Carter, Clark, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Shelby), Fuqua, Gaia, Gill, Hall, Hillis, Hood, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Shockley, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Work, Yelton, Young and Mr. Speaker McWherter — 66.

Representatives voting no were: Bewley, Bragg, Burleson, Burnett (Fentress), Cawood, Chiles, Copeland, Hurley, Jensen, Wolfe and Wood — 11.

Representatives present and not voting were: Bishop, Brewer, Burnett (Sumner), Ford (Cocke), Martin, Richards, Scruggs and Smith — 8.

A motion to reconsider was tabled.

House Bill No. 1763 — To amend prevailing wage Act.

On motion, House Bill No. 1763 was made to conform with Senate Bill No. 1867.

On motion, Senate Bill No. 1867, on same subject, was substituted for House Bill No. 1763.

Mr. Lanier moved that Senate Bill No. 1867 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	75
Noes.....	13
Present and not voting .....	3

Representatives voting aye were: Atchley, Bishop, Bissell, Blackburn, Brewer, Burks, Burnett (Fentress), Butler, Byrd, Carter, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Ker-

nell, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shockley, Smith, Spence, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Work, Yelton, Young and Mr. Speaker McWherter — 75.

Representatives voting no were: Bell, Bragg, Burleson, Chiles, Copeland, Murray (Franklin), Richards, Robertson, Robinson (Washington), Scruggs, Small, Stafford and Wood — 13.

Representatives present and not voting were: Good, McAfee and Williams — 3.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

Mr. Lanier moved that House Bill No. 1836 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 2186 — To amend Sections 13-106 and 49-3344, Code.

Mr. Tanner moved that House Bill No. 2186 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	80
Noes.....	10
Present and not voting .....	3

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Burnett (Sumner), Bussart, Butler, Carter, Cawood, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Richards, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Yelton, Young and Mr. Speaker McWherter — 80.

Representatives voting no were: Bragg, Burks, Burleson, Burnett (Fentress), Byrd, Dixon, Hillis, Martin, Rhinehart and Work — 10.

Representatives present and not voting were: Chiles, Richardson and Spence — 3.

A motion to reconsider was tabled.

House Bill No. 2408 — To amend Title 8, Chapter 41, Code.

Mr. Richards moved that House Bill No. 2408 be passed on third and final reading.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2408 by adding the following sentence to the end of Section 1:

No plan shall be implemented until a favorable advance letter of ruling concerning the option of the employee shall have been received from the United States internal revenue service.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2408, as amended, passed its third and final reading by the following vote:

Ayes.....	93
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 93.

A motion to reconsider was tabled.

House Bill No. 1789 — To make certain provisions, public contracts.

On motion, House Bill No. 1789 was made to conform with Senate Bill No. 1777.

On motion, Senate Bill No. 1777, on same subject, was substituted for House Bill No. 1789.

Mr. Richards moved that Senate Bill No. 1777 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	86
Noes.....	5

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Yelton, Young and Mr. Speaker McWherter — 86.

Representatives voting no were: DePriest, McKinney, Pickering, Rhinehart and Work — 5.

A motion to reconsider was tabled.

House Bill No. 2026 — To amend Retailers, Sales Tax Act.

Mr. Burnett (Fentress) moved that House Bill No. 2026 be passed on third and final reading.

Mr. Burnett (Fentress) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2026 by (a) Adding a new Section 2 reading as follows:

SECTION 2. Tennessee Code Annotated, Section 67-3002(b) is amended by adding to the first paragraph thereof the following:

“Sale” shall also mean such transfer of customized or packaged computer software, which is defined to mean, information and directions loaded into a computer which dictate different functions to be performed by the computer, whether contained on tapes, discs, cards, or other device or material. For such purpose, computer software shall be considered tangible personal property; however, the fabrication of software by a person for his own use or consumption shall not be considered a taxable “use” under §67-3002(h) or any other section of this chapter.

(b) Renumbering the present Section 2 as Section 3.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2026, as amended, passed its third and final reading by the following vote:

Ayes.....	93
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 93.

A motion to reconsider was tabled.

Mr. Burks moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 327, which motion prevailed.

House Joint Resolution No. 327 — Relative to amending Constitution, taxation of personal property.

As required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 327 passed its third and final reading by the following vote:

Ayes.....	93
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 93.

A motion to reconsider was tabled.

Mr. Jensen asked to be recorded as voting "aye" on House Bill No. 2026.

On motion of Mr. Fuqua, House Bill No. 1918 was recalled from the Governor's Office.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 1918 at the request of the House.

EDDIE SISK,  
Counsel to the Governor.

House Bill No. 1595 — To make provisions, officers under Tennessee County Uniform Road Law.

Mr. Naifeh moved that House Bill No. 1595 be passed on third and final reading.

Mr. Naifeh moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1595 by deleting Section 1 in its entirety and substituting instead the following new section:

Section I. Tennessee Code Annotated, Section 54-1005, is amended by adding the following new sentence:

In counties having a population of not less than 27,750 nor more than 28,200, according to the 1970 federal census or any subsequent federal census, and having appointed chief administrative officers, the appointed chief administrative officers shall serve at the pleasure of the county governing body which appointed them; or the quarterly county court or other county governing body may enter into a personal services contract with the appointed chief administrative officer not to exceed a term of four (4) years.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1595, as amended, passed its third and final reading by the following vote:

Ayes.....	91
Noes.....	0
Present and not voting .....	2

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Miller, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Young and Mr. Speaker McWherter — 91.

Representatives present and not voting were: Chiles and Murphy (Davidson) — 2.

A motion to reconsider was tabled.

House Bill No. 1820 — To amend Section 3-130, Code.

On motion, House Bill No. 1820 was made to conform with Senate Bill No. 1761.

On motion, Senate Bill No. 1761, on same subject, was substituted for House Bill No. 1820.

Mr. Ford (Cocke) moved that Senate Bill No. 1761 be passed on third and final reading.

Mr. Ford (Cocke) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1761 by deleting Section 1 in its entirety and by substituting instead a new Section 1 as follows:

SECTION 1. Tennessee Code Annotated, Section 3-103, is amended by deleting in its entirety the present description of the unified eleventh and twelfth representative districts which reads as follows:

Eleventh and twelfth: All of the Sevier County. In Cocke County: M.D. 1, 2, 4, 5, 6, and 7. In Jefferson County, M.D. 1, 2, 4, 5, 6, 7, 8, 9, and that part of M.D. 3 not contained in E.D. 2 of the White Pine Division. In Blount County the following precincts: Chilhowee View, Townsend (city), Townsend, Walland, Rocky Branch.

and substituting instead the following:

Eleventh: In Cocke County, Magisterial Districts 1, 2, 4, 5, 6, and 7. In Jefferson County, Magisterial Districts 1, 4, 5, 8, 9, and that part of 3 not contained in enumeration district 2 of the White Pine Division.

Twelfth: All of Sevier County. In Blount County the following precincts: Chilhowee View, Townsend, Walland, and Rocky Branch. In Jefferson County, Magisterial Districts 2, 6, and 7.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1761, as amended, passed its third and final reading by the following vote:

Ayes.....	93
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Brewer, Buck, Burks, Burluson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 93.

A motion to reconsider was tabled.

House Bill No. 1847 — To enact the Sentencing Act of 1978.

Mr. Bussart moved that House Bill No. 1847 be passed on third and final reading.

Mr. Bussart moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 1847 by deleting from the third sentence of paragraph (i) of the amendatory language of Section 9 the clause "provided, however, that an Appellate Court shall not modify a sentence so as to impose a sentence of death:" and substituting in lieu thereof the clause "provided, however, that the power to modify the sentence of the trial court shall be limited to conforming the sentence to the presumptive sentence as defined in subsections (b) and (c) of this section."

On motion, the amendment was adopted.

Mr. Lashlee moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1847 by deleting subsection D of section 19 and renumber accordingly

On motion, the amendment was adopted.

Mr. Lashlee moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1847 by amending subsection E of section 25 by deleting the word "may" after the word "Commissioner" and before the word "remove" and substituting the word "shall".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1847, as amended, passed its third and final reading by the following vote:

Ayes .....	61
Noes .....	20
Present and not voting .....	11

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Buck, Burks, Burluson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Carter, Clark, Darnell, Davidson (Robertson), Davis, Elkins, Ellis, Ford (Cocke), Fuqua, Gaia, Gill, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Lanier, Lashlee, Ledford, Longley, McAfee, Martin, Miller, Moore, Murphy (Shelby), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Richards, Richardson, Robinson (Davidson), Scruggs, Shockley, Small, Smith, Stallings, Starnes, Steinhauer, Tanner, Watson, Webb, Williams, Wood, Yelton and Mr. Speaker McWherter — 61.

Representatives voting no were: Ashford, Brewer, Cawood, Chiles, Cobb, Copeland, DeBerry, Fisher, Fleming, Ford (Shelby), Kernell, McKinney, Murray (Franklin), Robertson, Robinson (Washington), Spence, Stafford, Withers, Wolfe and Work — 20.

Representatives present and not voting were: Byrd, DePriest, Good, Love, Murphy (Davidson), Ozment, Pruitt, Rhinehart, Turner, Wallace and Young — 11.

A motion to reconsider was tabled.

House Bill No. 1921 — To create the center for Real Estate Research.

Mr. Davis moved that House Bill No. 1921 be passed on third and final reading.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1921 by deleting the first amendatory new section in section 1 and by substituting instead the following:

**SECTION .** The commission shall establish the Tennessee Center for Real Estate Research to provide continuing research, education, and technical assistance to colleges and universities, state and local government. The commission is authorized to conduct, hold or assist in conducting or holding real estate clinics, meetings, courses, or institutes and to incur the necessary expenses in connection therewith. The center shall be open to all licensees and the general public.

**AND FURTHER AMEND** by deleting the second amendatory new section in section 1 and by substituting instead the following:

**SECTION .** The commission is authorized to assist educational institutions within this state in sponsoring studies, research, and programs for the purpose of raising the standards of professional practice in real estate and the competence of licensees in the public interest.

**AND FURTHER AMEND** by deleting the third amendatory new section in section 1 and by substituting instead the following:

**SECTION .** The government, management, and control of the Center shall be vested in a Board of Trustees consisting of nine (9) members, who shall be the five (5) members of the Tennessee Real Estate Commission, One (1) consumer who is not a licensee, One (1) educator with expertise in the field of real estate, and Two (2) licensed brokers representative of the parties affected hereby shall be from a rural area and one (1) from a metropolitan, appointed from a list of six (6) nominations of the Tennessee Association of Realtors. All nominees to the Board of Trustees shall be appointed by the Governor of the State of Tennessee.

**AND FURTHER AMEND** by deleting the fourth amendatory new section in section 1 and by substituting instead the following:

**SECTION .** The five (5) members of the Tennessee Real Estate Commission who are to sit on the Board of Trustees, shall do so for the length of time concurrent with the respective terms on the Tennessee Real Estate Commission. The other four (4) members are to be appointed for a term of three (3) years each. Any vacancy occurring on the Board of Trustees shall be filled by gubernatorial appointment for the unexpired term as prescribed in Section 3 of this act.

**AND FURTHER AMEND** by deleting the word "executive" in item 4 in the sixth amendatory new section in section 1 and by substituting instead the word "educational"

**AND FURTHER AMEND** by deleting the words "Higher Education" in item 5 in the sixth amendatory new Section in section 1 and by substituting instead the words "Real Estate"

**AND FURTHER AMEND** by deleting the eighth amendatory new section in section 1 and by substituting instead the following:

**SECTION .** In addition to the license fees provided in Section 62-1321, Tennessee Code Annotated, upon issuance and renewal of all licenses, affiliates, brokers, firms, and

retirement fees, to be issued on or after July 1, 1978, every renewal or retirement applicant shall pay to the account in the office of the State Treasurer, a fee of Ten (\$10) Dollars; for the Tennessee Center for Real Estate Research. All such fees received by the State Treasurer shall be credited and deposited to the special account of the Center for its exclusive use and expenditures in the performance of its function. All fees deposited in the special account of the Center, including an earned income or accrued interest on the funds so deposited which are not obligated at the end of each fiscal year, shall revert to the General Fund."

Mr. Davis moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes.....	50
Noes.....	31
Present and not voting .....	4

Representatives voting aye were: Bell, Bissell, Blackburn, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Carter, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Hall, Hood, Jensen, Johnson, McAfee, Martin, Miller, Murphy (Davidson), Murray (Franklin), Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robinson (Davidson), Scruggs, Shockley, Smith, Starnes, Steinhauer, Watson, Webb, Williams, Wood, Work and Yelton — 50.

Representatives voting no were: Ashford, Bewley, Bishop, Burleson, Butler, Byrd, Cawood, Davidson (Wayne), Dixon, Ford (Shelby), Fuqua, Gill, Hillis, Hurley, Kernell, King, Lanier, Lashlee, Ledford, Love, Moore, Murphy (Shelby), Naifeh, Pruitt, Robertson, Robinson (Washington), Stafford, Stallings, Tanner, Withers and Wolfe — 31.

Representatives present and not voting were: Murray (Madison), Robinson (Hamilton), Spence and Wallace — 4.

Mr. DePriest moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1921 by adding the following new section:

SECTION . The provisions of this act shall not apply to any county having a population of not less than 22,100 nor more than 22,200 or not less than 29,000 nor more than 29,100, according to the 1970 Federal Census, or any subsequent Federal Census.

Mr. Richards moved that Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes.....	38
Noes.....	43
Present and not voting .....	2

Representatives voting aye were: Atchley, Bissell, Blackburn, Burnett (Fentress), Burnett (Sumner), Chiles, Cobb, Copeland, Davis, DeBerry, Ford (Shelby), Gaia, Good, Hood, Jensen, Longley, Love, McAfee, Martin, Miller, Murphy (Davidson), Nolan, Ozment, Richards, Robin-

son (Davidson), Robinson (Washington), Scruggs, Smith, Spence, Starnes, Steinhauer, Watson, Webb, Williams, Wood, Work, Yelton and Young — 38.

Representatives voting no were: Ashford, Bell, Bewley, Buck, Burleson, Bussart, Butler, Byrd, Carter, Cawood, Darnell, Davidson (Robertson), Davidson (Wayne), Dixon, Elkins, Ellis, Fisher, Fleming, Fuqua, Gill, Hall, Hillis, Hurley, Johnson, King, Lanier, Lashlee, Ledford, McKinney, Moore, Murray (Franklin), Murray (Madison), Naifeh, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Small, Stafford, Stallings, Tanner and Wolfe — 43.

Representatives present and not voting were: Moore and Wallace — 2.

Thereupon, Amendment No. 2 was adopted by the following vote:

Ayes.....	47
Noes.....	36
Present and not voting .....	5

Representatives voting aye were: Ashford, Atchley, Bewley, Buck, Burks, Burleson, Bussart, Butler, Byrd, Carter, Cawood, Clark, Darnell, Davidson (Robertson), Davidson (Wayne), DePriest, Dixon, Elkins, Fisher, Fleming, Ford (Cocke), Fuqua, Gaia, Gill, Hillis, Hurley, Johnson, King, Lanier, Lashlee, Ledford, Moore, Murray (Madison), Naifeh, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Small, Stafford, Stallings, Tanner, Wallace, Wolfe, Work and Yelton — 47.

Representatives voting no were: Bell, Bissell, Blackburn, Brewer, Burnett (Fentress), Burnett (Sumner), Chiles, Cobb, Copeland, Davis, DeBerry, Ellis, Ford (Shelby), Good, Hall, Hood, Jensen, Longley, McAfee, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Nolan, Ozment, Richards, Robinson (Davidson), Scruggs, Smith, Starnes, Watson, Webb, Williams, Wood and Young — 36.

Representatives present and not voting were: Pruitt, Shockley, Spence, Steinhauer and Turner — 5.

Mr. Davis moved that House Bill No. 1921 be placed on the Calendar for Monday, March 27, 1978 which motion prevailed.

House Bill No. 2150 — To amend Section 64-201, Code.

Mr. Wallace moved that House Bill No. 2150 be passed on third and final reading.

Mr. Wallace moved to amend as follows:

#### AMENDMENT NO.1

Amend House Bill No. 2150 by deleting the amendatory language of Section 1 and substituting therefor the following:

Provided, however, that no non-resident alien shall hold real property in this state unless the same be used for purposes of cultivation, for removal of natural resources thereof including timber, or for construction or maintenance thereon of business, residence, or related structures. For purposes of this section, "non-resident alien" shall include foreign individuals, partnerships or corporations or domestic partnerships or corporations the majority ownership of which lies with or for the benefit of non-resident alien individuals, partnerships or corporations. Any real property held in violation of this section for a period of time in excess of eighteen (18) months, shall escheat to the state in accordance with Title 31, Chapter 8, Tennessee Code Annotated.

On motion, the amendment was adopted.

Mr. Webb moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 2150 by adding the following sentence to the end of the amendatory language of section 1:

provided further that the prohibitions of this section shall not be applicable to any non-resident alien or corporation holding real property for the purposes of Silviculture on the effective date of this act nor shall the prohibitions of this section be applicable to the acquisition or holding by such alien or corporation for purposes of Silviculture after the effective date of this act.

On motion, the amendment was adopted.

Mr. Robertson moved to amend as follows:

**AMENDMENT NO. 3**

Amend House Bill No. 2150 by adding the following language as a new section immediately following Section 1 and by renumbering subsequent sections accordingly:

Section . The provisions of this Act shall not apply to real property owned by a non-resident alien, foreign corporation, individual, or association, or hereafter purchased by such non-resident alien, foreign corporation, individual, or association if said non-resident alien, foreign corporation, individual, or association owned real property in the State of Tennessee on or before January 1, 1930.

Mr. Ozment moved that Amendment No. 3 be tabled, which motion failed by the following vote:

Ayes.....	38
Noes.....	43
Present and not voting .....	4

Representatives voting aye were: Bell, Bishop, Bissell, Blackburn, Buck, Bussart, Butler, Byrd, Clark, Cobb, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Fleming, Ford (Shelby), Fuqua, Gaia, Gill, Hood, King, Lanier, Lashlee, Ledford, Murphy (Davidson), Murray (Madison), Ozment, Richardson, Robinson (Hamilton), Small, Stallings, Steinhauer, Turner, Wallace, Williams, Work and Yelton — 38.

Representatives voting no were: Ashford, Atchley, Bewley, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Carter, Copeland, Darnell, Elkins, Ellis, Ford (Cocke), Good, Hall, Hurley, Jensen, Longley, McAfee, McKinney, Martin, Miller, Murray (Franklin), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Smith, Spence, Stafford, Starnes, Watson, Webb, Wolfe and Wood — 43.

Representatives present and not voting were: Cawood, Johnson, Pruitt and Tanner — 4.

Thereupon, Amendment No. 3 was adopted by the following vote:

Ayes.....	52
Noes.....	30
Present and not voting .....	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bragg, Burks, Burleson, Burnett (Fentress), Butler, Carter, Chiles, Copeland, Davidson (Wayne), Davis, Dixon, Ellis, Ford (Cocke), Fuqua, Good, Hall, Hillis, Hurley, Jensen, Lanier, Lashlee, Longley, McAfee, McKinney, Martin, Miller, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Smith, Spence, Stafford, Starnes, Tanner, Wallace, Watson, Webb and Wolfe — 52.

Representatives voting no were: Bishop, Bissell, Blackburn, Buck, Bussart, Byrd, Cawood, Clark, Cobb, Davidson (Robertson), DeBerry, DePriest, Elkins, Fleming, Ford (Shelby), Gaia, Gill, Hood, King, Ledford, Moore, Murphy (Davidson), Ozment, Small, Stallings, Steinhauer, Turner, Williams, Work and Yelton — 30.

Representative present and not voting was: Robinson (Hamilton) — 1.

Thereupon, House Bill No. 2150, as amended, passed its third and final reading by the following vote:

Ayes.....	65
Noes.....	20
Present and not voting .....	5

Representatives voting aye were: Bell, Bishop, Bissell, Blackburn, Buck, Burks, Bussart, Butler, Byrd, Carter, Chiles, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Elkins, Ellis, Fisher, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Hillis, Hood, Hurley, Johnson, Kernell, Lanier, Lashlee, Ledford, McAfee, McKinney, Miller, Moore, Murray (Franklin), Murray (Madison), Phillips, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 65.

Representatives voting no were: Ashford, Bewley, Bragg, Brewer, Burleson, Burnett (Fentress), Cawood, Clark, Cobb, DeBerry, Fleming, Gaia, Jensen, King, Martin, Murphy (Davidson), Murphy (Shelby), Ozment, Pickering and Robertson — 20.

Representatives present and not voting were: Atchley, Naifeh, Pruitt, Robinson (Hamilton) and Steinhauer — 5.

A motion to reconsider was tabled.

Mr. Ford (Shelby) asked to be recorded as changing his vote from "aye" to "no" on House Bill No. 2150.

Mr. Chiles moved that House Bill No. 1950 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1803 — To amend Section 6-309, Code.

Mr. Yelton moved that House Bill No. 1803 be passed on third and final reading.

Mr. Martin moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1803 by inserting the words "except any municipality located in any county having a population greater than 700,000 persons according to the 1970 federal census of population or any subsequent federal census of population," after the word "municipality" in the first sentence of the amendatory language in section 1.

On motion, the amendment was adopted.

Mr. Robinson (Washington) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1803 by inserting in the second sentence of the amendatory language of Section 1 after the words "Within thirty (30) days after notice is given" and before the words "a petition" the following words:

and when such territory proposed to be annexed has a population of five hundred (500) or more .

Mr. DePriest moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes.....	66
Noes.....	16
Present and not voting .....	3

Representatives voting aye were: Bell, Bissell, Blackburn, Bragg, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fleming, Fuqua, Gaia, Hall, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Naifeh, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Scruggs, Smith, Spence, Starnes, Tanner, Turner, Wallace, Williams, Withers, Wolfe, Wood, Work and Yelton — 66.

Representatives voting no were: Bewley, Bishop, Burleson, Fisher, Ford (Cocke), Good, Hillis, Martin, Murray (Madison), Robinson (Hamilton), Robinson (Washington), Shockley, Small, Stafford, Stallings and Watson — 16.

Representatives present and not voting were: Atchley, Longley and Nolan — 3.

Mr. Ozment moved to amend as follows:

**AMENDMENT NO. 3**

Amend House Bill No. 1803 by adding the following new Section:

“Section : The provisions of this act shall not apply to any county with a metropolitan form of government.

On motion, the amendment was adopted.

Mr. Turner moved to amend as follows:

**AMENDMENT NO. 4**

Amend House Bill No. 1803 by adding the following new section:

**SECTION .** The provisions of this act shall not apply to the following counties:

Not less than 23,700 or more than 23,800;

Not less than 12,000 or more than 12,100;

Not less than 6,750 or more than 6,800;

Not less than 21,900 or more than 22,000;

Not less than 35,400 or more than 35,470;

Not less than 23,475 or more than 23,500;

Not less than 29,900 or more than 30,000;

Not less than 28,800 or more than 28,900;

Not less than 25,700 or more than 25,800;

Not less than 12,100 or more than 12,200;

Not less than 5,800 or more than 5,900;

Not less than 13,500 or more than 13,600;

Not less than 62,700 or more than 62,800;

Not less than 7,300 or more than 7,400;

Not less than 47,800 or more than 47,900;

Not less than 22,600 or more than 22,700;

Not less than 22,400 or more than 22,500;

all according to the 1970 Federal Census, or any subsequent Federal Census.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1803, as amended, passed its third and final reading by the following vote:

Ayes.....	75
Noes.....	8
Present and not voting.....	7

Representatives voting aye were: Bell, Bishop, Blackburn, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Carter, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Ozment, Pickering, Pruitt, Richards, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Watson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 75.

Representatives voting no were: Bewley, Bragg, Byrd, Chiles, Longley, Phillips, Small and Williams — 8.

Representatives present and not voting were: Atchley, Davidson (Wayne), Gill, Moore, Rhinehart, Richardson and Webb — 7.

A motion to reconsider was tabled.

Messrs. Watson and Bewley asked to be recorded as voting "aye" on House Bill No. 1803.

Mr. Clark moved that House Bill No. 1239 be placed on the Calendar for Monday, March 27, 1978, which motion prevailed.

House Bill No. 2500 — To amend Section 51-441, Code.

On motion, House Bill No. 2500 was made to conform with Senate Bill No. 2456.

On motion, Senate Bill No. 2456, on same subject, was substituted for House Bill No. 2500.

Mr. Robertson moved that Senate Bill No. 2456 be passed on third and final reading.

Mr. Ashford moved to amend as follows:

#### AMENDMENT NO. 1

Amend Senate Bill No. 2456 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 51-441, is amended by deleting the word "Hancock" from the first and second paragraphs, and by inserting the following new paragraph after the fourth paragraph:

Notwithstanding other provisions of this section, it shall be lawful to train coon dogs in Hancock County at any time of the year except during the period each year from March 1 to May 15, so long as coons are not taken except during open season thereon.

On motion, the amendment was adopted.

Mr. Robertson moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 2456 by deleting Section 2 in its entirety and adding a new Section as follows:

Section . This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly Court of Hancock County before September 1, 1978. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

and further amend by adding Section 3 as follows:

Section 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 2.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2456, as amended, passed its third and final reading by the following vote:

Ayes.....	87
Noes.....	0
Present and not voting .....	2

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Brewer, Buck, Burlison, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 87.

Representatives present and not voting were: Burks and Nolan — 2.

A motion to reconsider was tabled.

House Bill No. 2448 — To make certain provisions, Tenth Judicial Circuit.

Mr. Clark moved that House Bill No. 2448 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	64
Noes.....	13
Present and not voting .....	8

Representatives voting aye were: Ashford, Atchley, Blackburn, Brewer, Buck, Burks, Burnett (Fentress), Butler, Byrd, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Gaia, Gill, Good, Hood, Jensen, Johnson, Kernell, King, Longley, McKinney, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Spence, Starnes, Steinhauer, Tanner, Turner, Watson, Webb, Williams, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 64.

Representatives voting no were: Bishop, Bragg, Carter, Fuqua, Hillis, Hurley, Lashlee, Martin, Naifeh, Scruggs, Shockley, Stafford and Stallings — 13.

Representatives present and not voting were: Bell, Bewley, Bureson, Hall, Small, Smith, Wallace and Wolfe — 8.

A motion to reconsider was tabled.

House Bill No. 2283 — To make certain provisions, Polygraph Examiners Board.

Mr. Murphy (Shelby) moved that House Bill No. 2283 be passed on third and final reading.

Mr. Murphy (Shelby) moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 2283 by deleting the headnote or title above each of the Sections 3 through 24.

**AND FURTHER AMEND**, by deleting Section 2 in its entirety and by substituting instead the following:

Section 2. It is the purpose of this act to regulate all persons who purport to be able to detect deception or to verify truth of statements through the use of instrumentation.

**AND FURTHER AMEND**, by deleting subsections (1), (2), and (5) of Section 3 and by substituting instead the following:

Section 3.

(1) "Board" means the board of polygraph examiners.

(2) "Secretary" means the member of the board selected to act as its secretary.

(5) "Polygraph examiner" means any person who purports to be able to detect deception or verify truth of statements through instrumentation or by means of a mechanical device.

AND FURTHER AMEND, by deleting subpart (3) of subsection (a) of Section 4, by deleting the word and symbols "and," in subpart (2) of subsection (a) of Section 4 and substituting instead a period, by adding "(b)" at the beginning of the second paragraph of Section 4, and by deleting in the second paragraph of Section 4 the word, symbols, and figures "(1), (2), and (3)" and by substituting instead the following "(a) (1) and (2)."

AND FURTHER AMEND, by deleting Section 5 in its entirety and by substituting instead the following:

Section 5. The state board of examiners in psychology, created by Tennessee Code Annotated, Section 63-1101, et seq., shall be matters as the board of polygraph examiners. The board shall meet within thirty (30) days of the effective date of this act and select one (1) of its members to serve as secretary. At that meeting, the board shall specify dates at six (6) month intervals on which examinations for polygraph examiner's licenses will be held. A copy of these dates will be retained by the secretary who will notify the secretary of state at least one (1) week prior to each date, together with an agenda of what examinations or other business will occur at that time.

AND FURTHER AMEND, by deleting Section 6 in its entirety and by substituting instead the following:

Section 6. (a) The board shall issue rules and regulations necessary for the administration and enforcement of this act and shall prescribe forms to be used in connection with it.

(b) Any order or a certified copy thereof, other than the board seal and purporting to be signed by the board members, shall be prima facie proof that the signatures are genuine and the members fully qualified to act.

(c) All fees collected under the provisions of this act shall be paid to the state treasurer. Expenditures necessary for the enforcement and administration of this act shall not exceed the total amount of fees collected during the fiscal year.

(d) The board shall have the right and power to call on the services of any qualified polygraph examiner employed by the Tennessee Bureau of Investigation or the Division of Fire Prevention in the Department of Insurance to assist with the administration and grading of polygraph examinations. The attorney responsible for the business of the board of examiners in psychology shall represent and assist the board in its investigations, defend the board in any proceeding, and prosecute any license revocation or suspension in the appropriate court.

AND FURTHER AMEND, in Section 7 by adding the following sentence:

Provided, however, no law enforcement officer or employee employed by city, county, state, or federal government conducting polygraph examinations as a part of, or in the course of his employment, shall be subject to licensure in his official capacity and no records obtained by law enforcement officers or employees during official polygraph examinations shall be subject to disclosure under the provisions of this act.

AND FURTHER AMEND, in Section 8 by deleting the second paragraph of subsection (8) and by substituting instead the following:

The board shall have the right to require the submission of detailed periodic reports by the sponsor on an intern's progress and to establish the number and type of tests to be given in accordance with the recommendations of the American Polygraph Association.

AND FURTHER AMEND, by deleting Section 9 in its entirety and by substituting instead the following:

Section 9. (a) The board shall issue a license as a polygraph examiner to any person who has been engaged as a polygraph examiner in the state of Tennessee for at least two (2) years prior to the effective date of this act, who meets the requirements of subparts 1, 2, 3, and 4, of Section 8, and who applies within one hundred eighty (180) days of the effective date of this act.

(b) Any person licensed in accordance with the provisions of this section shall pay the proper fee as specified in Section 13.

AND FURTHER AMEND, by renumbering the second Section 12 to be Section 13 and by deleting the words and figures "five hundred dollars (\$500)" in subpart (1) of subsection (i) of Section 13 and substituting instead the words and figures "fifty dollars (\$50)".

AND FURTHER AMEND, in Section 19, subsection (14) by deleting the symbol and words ", or personally embarrassing to the polygraph subject".

AND FURTHER AMEND, Section 19 by deleting subsection (15) in its entirety and by substituting instead the following:

(15) all polygraph charters, question sheets, written reports, data sheets, opinions of the examiner from chart analysis, and other pertinent papers shall be kept on file in a safe place under the direct control of the polygraph examiner, or his employer if he does not operate independently, for at least two (2) years from the time of examination. Such material shall be subject to inspection by the board, when absolutely necessary, upon written request by the secretary.

AND FURTHER AMEND, in Section 20 by inserting the words "this act" in the blanks left in subsection (e).

AND FURTHER AMEND, in Section 22 by deleting the section in its entirety and by substituting instead the following:

Section 22. (a) Each polygraph examiner shall register his name and business address with the secretary of state. The secretary of state shall maintain a listing of all polygraph examiners licensed in Tennessee.

(b) Each licensed polygraph examiner from out of state shall register with the secretary of state.

AND FURTHER AMEND, in Section 25 by deleting the section in its entirety and by substituting instead the following:

Section 25. This act shall take effect July 1, 1978, the public welfare requiring it.

AND FURTHER AMEND, by redesignating the present Section 23 to be Section 24, by redesignating the following sections accordingly, and by adding a new Section 23 as follows:

Section 23. No provision of this act shall apply to psychological stress evaluators or evaluation, it being the legislative intent that such practices are excluded from the scope or applications of this act.

Mr. Murphy (Shelby) moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting from the amendatory language of Section 5 the words and symbols "The state board of examiners in psychology, created by Tennessee Code Annotated, Section 63-1101, et. seq.," and by substituting instead the words and symbols "The Tennessee Corrections Institute's Board of Control, created by Tennessee Code Annotated, Section 41-2101, et. seq.,".

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Mr. Turner moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 2283 as follows:

Section 19. first sentence change the word "may" to "shall", and make to read as follows: Section 19. "The Board shall refuse to issue or shall suspend or revoke a license on any one or more of the following grounds."

AND FURTHER AMEND BY: striking the following language from Section 19, Sub-Section 1: "for failing to inform a subject to be examined as to the nature of the examination" and inserting in lieu thereof the following language: "for failing to inform the person to be examined of their constitutional rights by registered mail, including the nature of the examination and their right to have an attorney of their choice with them during all of the examination," and the attorney's fee shall be paid for by the company or individual requesting the test by means of detector, polygraph, deceptograph, psychological stress evaluator, voice analysis, and/or similar or related devices, and instruments. Failure to do so shall be deemed a misdemeanor punishable by imprisonment of not more than thirty (30) days and/or a fine of Fifty (\$50.00) Dollars or both."

Mr. Murphy (Shelby) moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes.....	63
Noes.....	17
Present and not voting.....	2

Representatives voting aye were: Ashford, Bell, Bishop, Bissell, Bragg, Buck, Burnett (Fentress), Bussart, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Jensen, Johnson, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Smith, Stafford, Stallings, Starnes, Steinhauer, Watson, Webb, Wood and Work — 63.

Representatives voting no were: Bewley, Burks, Burluson, Butler, Byrd, Cobb, Elkins, Ellis, Hurley, Kernell, Robinson (Davidson), Shockley, Tanner, Turner, Wallace, Williams and Wolfe — 17.

Representatives present and not voting were: Spence and Yelton — 2.

Mr. Turner moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 2283 by adding the following amendatory language at the end of Section 2, after the word "services".

"Anyone buying, selling, or using any instrumentation as lie detectors, polygraphs, deceptographs, psychological stress evaluators, voice analysis, and/or similar or related devices and instruments will notify the Board in writing with regard to the manufacturer, and the purchaser's name and address. The purchaser or anyone who has a new or used instrument or uses any instrumentation as lie detectors, polygraphs, deceptographs, psychological stress evaluators, voice analysis, and/or similar or related devices and instruments will notify the Board in writing every thirty (30) days the name and address of subjects and the reason for using or giving the test. Failure to do so shall be deemed a misdemeanor punishable by imprisonment of not more than thirty (30) days and/or a fine of Fifty (\$50.00) Dollars or both."

Mr. Murphy (Shelby) moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes.....	65
Noes.....	12
Present and not voting.....	2

Representatives voting aye were: Atchley, Bell, Bishop, Bissell, Blackburn, Bragg, Buck, Burnett (Fentress), Bussart, Butler, Carter, Cawood, Chiles, Clark, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hurley, Jensen, Johnson, King, Lanier, Lashlee, Ledford, McAfee, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Watson, Webb, Wood and Work — 65.

Representatives voting no were: Burluson, Byrd, Cobb, Elkins, Ellis, Kernell, Martin, Moore, Robinson (Davidson), Small, Turner and Williams — 12.

Representatives present and not voting were: Wallace and Wolfe — 2.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 2283 by deleting the first word in Section 24 and substitute in lieu thereof the following:

"The District Attorney shall enjoin any"

And further amend by adding a period (.) after the word "statements" in the 5th line of Section 24 and deleting the remaining language.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 5

Amend House Bill No. 2283 by adding a new sentence to section 6c — The 5000.00 Appropriation will be for the fiscal year 1978-1979 only.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2283, as amended, passed its third and final reading by the following vote:

Ayes.....	83
Noes.....	2
Present and not voting .....	6

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burlleson, Burnett (Fentress), Bussart, Butler; Carter, Cawood, Chiles, Clark, Cobb, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 83.

Representatives voting no were: Ellis and Robinson (Davidson) — 2.

Representatives present and not voting were: Burnett (Sumner), Byrd, Darnell, Hood, Spence and Turner — 6.

A motion to reconsider was tabled.

House Bill No. 2044 — To amend Section 20-235, Code.

On motion, House Bill No. 2044 was made to conform with Senate Bill No. 1684.

On motion, Senate Bill No. 1684, on same subject, was substituted for House Bill No. 2044.

Mr. Murphy (Shelby) moved that Senate Bill No. 1684 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	65
Noes.....	13
Present and not voting .....	7

Representatives voting aye were: Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Burks, Burleson, Burnett (Fentress), Butler, Byrd, Carter, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Small, Spence, Stallings, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Work, Yelton and Mr. Speaker McWherter — 65.

Representatives voting no were: Ashford, Atchley, Buck, Burnett (Sumner), Chiles, Davidson (Wayne), Fisher, Robertson, Scruggs, Stafford, Wolfe, Wood and Young — 13.

Representatives present and not voting were: Bussart, Copeland, Hall, McAfee, Richards, Richardson and Smith — 7.

A motion to reconsider was tabled.

Mr. Hurley asked to be recorded as changing his vote from "aye" to "no" on Senate Bill No. 1684.

Mr. Robertson moved that House Bill No. 1958 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

#### FURTHER CONSIDERATION OF HOUSE BILL NO. 1547

House Bill No. 1547 — To make certain provisions, liability for dog ownership.

Mr. Bragg moved that House Bill No. 1547 be passed on third and final reading.

Mr. Lashlee moved that the House reconsider its action in adopting Amendment No. 6, which motion prevailed.

Mr. Lashlee moved that Amendment No. 6 be withdrawn, which motion prevailed.

Mr. Lashlee moved to amend as follows:

#### AMENDMENT NO. 8

Amend House Bill No. 1547 by adding to Section 1 a new section:

Provided however the provisions of this act will not apply to damages done while the dog is on his master's own property if the dog has not previously displayed violent tendencies.

On motion, the amendment was adopted.

Mr. Burks moved to amend as follows:

#### AMENDMENT NO. 9

Amend House Bill No. 1547 in Section 1 by adding at the end of the amendatory language a new sentence as follows:

Provided, however, the owner or harbinger of any such dog shall not be liable to any person if the dog was on the private real property of such owner or harbinger at the time of any injury or other attack.

On motion, the amendment was adopted.

Mr. Buck moved that Amendment No. 9 be tabled, which motion failed by the following vote:

Ayes.....	34
Noes.....	37
Present and not voting .....	6

Representatives voting aye were: Ashford, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burleson, Burnett (Sumner), Bussart, Byrd, Cobb, Darnell, Davidson (Wayne), DeBerry, Ford (Cocke), Ford (Shelby), Gaia, Gill, Hillis, Hood, Jensen, Lashlee, Longley, Murphy (Davidson), Murphy (Shelby), Murray (Madison), Naifeh, Phillips, Small, Steinhauer, Tanner, Wood and Yelton — 34.

Representatives voting no were: Bell, Burks, Copeland, Davidson (Robertson), DePriest, Dixon, Ellis, Fuqua, Hall, Hurley, Johnson, Kernell, King, Ledford, McKinney, Martin, Miller, Moore, Murray (Franklin), Nolan, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Scruggs, Smith, Spence, Stafford, Stallings, Wallace, Watson, Webb, Williams, Wolfe and Work — 37.

Representatives present and not voting were: Atchley, Burnett (Fentress), Cawood, Fleming, Ozment and Richards — 6.

On motion of Mr. Bragg, House Bill No. 1547 was withdrawn from the House.

House Bill No. 2428 — To amend Title 57, Chapter 1 and 8, Code.

Mr. Rhinehart moved that House Bill No. 2428 be passed on third and final reading.

Mr. Murray (Madison) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2428 by adding to subsection (b) of the amendatory language of Section 14:

The tax shall be allocated in the following manner:

- (1) Ten percent (10%) shall be allocated to the state general fund.
- (2) Ninety percent (90%) shall be allocated to the political subdivision in which the license holder pursuant to Tennessee Code Annotated, Section 57-116 is located on the basis of population.

Mr. Rhinehart moved that House Bill No. 2428 be placed on the Calendar for Wednesday, March 22, 1978, which motion prevailed.

House Bill No. 1721 — To establish uniform system for collection and administration, litigation taxes.

Mr. Burnett (Fentress) moved that House Bill No. 1721 be passed on third and final reading.

Mr. Burnett (Fentress) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1721 by adding as an additional section thereto, after Section 21, and renumbering the present Section 22 accordingly, the following:

Section 22. Tennessee Code Annotated, Section 8-2122, is amended by adding as a new subsection thereto the following:

(47) For receiving and paying over all taxes, fines, forfeitures, fees and amercements, five percent (5%) on the dollar.

On motion, the amendment was adopted.

Mr. Burnett (Fentress) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1721 by deleting the amendatory language of Section 19 in its entirety and substituting in lieu thereof the following:

When a local collector shall fail to collect a state tax which should be collected by him and paid over to the Department of Revenue, the Commissioner of Revenue may collect the tax under Chapter 60 of this title.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1721, as amended, passed its third and final reading by the following vote:

Ayes.....	79
Noes.....	7
Present and not voting .....	7

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burlison, Burnett (Fentress), Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lashlee, Ledford, Longley, Love, McAfee, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Madison), Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 79.

Representatives voting no were: Copeland, McKinney, Murray (Franklin), Robertson, Small, Williams and Wolfe — 7.

Representatives present and not voting were: Ashford, Buck, Bussart, Gill, Lanier, Moore and Naifeh — 7.

A motion to reconsider was tabled.

Mr. Starnes moved that Senate Joint Resolution No. 157 be placed on the Calendar for Monday, March 27, 1978, which motion prevailed.

Senate Joint Resolution No. 193 — Relative to memorializing contributions, Gentry Crowell.

Mr. Bragg moved that the resolution be concurred in.

Mr. Williams moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Joint Resolution No. 193 by inserting between the seventh and eighth clauses of the preamble the following new clause:

WHEREAS, he has also worked to improve services to local governments and communities, most notably through his sponsorship of legislation to upgrade waterworks and other necessary utilities; and

On motion, the amendment was adopted.

Mr. Williams moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Joint Resolution No. 193 by inserting the following resolving clause immediately before the last resolving clause:

BE IT FURTHER RESOLVED, that each member of the House of Representatives shall be a sponsor of this resolution and that the names of such members shall be added to the engrossed copy.

On motion, the amendment was adopted.

Mr. Jensen moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Joint Resolution No. 193 by adding the following after the words "whose bills passed or did not pass through its portals" in the third paragraph:

"depending upon the political affiliation of said legislation's sponsor and what effect it might have on Wilson County;"

AND FURTHER AMEND by adding a new paragraph to be inserted after the third paragraph to read as follows:

"WHEREAS, as a result of his firm and steadfast guidance, he was dubbed 'The God-father'; and"

Mr McKinney moved that the House adjourn until 1:00 p.m. tomorrow, which motion failed.

Thereupon, on motion, Amendment No. 3 was adopted.

Thereupon, on motion, the House concurred in Senate Joint Resolution No. 193, as amended.

A motion to reconsider was tabled.

On motion of Mr. Lashlee, House Resolution No. 94 was withdrawn from the House.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 1852 — To make certain provisions, reapplication for beer permit.

Mr. Buck moved that House Bill No. 1852 be passed on third and final reading.

Mr. Murray (Madison) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1852 by striking out Section 1 in its entirety and inserting in lieu thereof a new Section 1 to read as follows:

SECTION 1. Tennessee Code Annotated, Section 57-205, is amended by inserting the following new paragraph between the third and fourth paragraphs:

Where a permit or license has been refused three (3) times, the applicant shall not be allowed to apply again for a permit or license on the same premises until after the expiration of one (1) year from the date of the third refusal. Nothing in this section shall be construed as prohibiting or in any manner limiting the right of any refusal to be reviewed by the Circuit or chancery court in the manner as authorized under Section 57-209.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1852, as amended, passed its third and final reading by the following vote:

Ayes.....	86
Noes.....	2
Present and not voting .....	2

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray

(Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work and Yelton — 86.

Representatives voting no were: Chiles and DeBerry — 2.

Representatives present and not voting were: Copeland and Mr. Speaker McWherter — 2.

A motion to reconsider was tabled.

### APPOINTMENT OF SPECIAL JOINT COMMITTEE

The Speaker announced that he had received the recommendations of the Judicial Standards Commission along with the transcript of the record in regard to the removal from office of Judge Charles Galbreath.

Pursuant to Section 17-814, Tennessee Code Annotated, the Speaker announced that he had appointed the following members to the Special Joint Committee to study the records, findings and recommendations of the Judicial Standards Commission: Representatives S. Thomas Burnett, Eugene E. Davidson, Ira H. Murphy, James E. Elkins, and Clifford Henry, Jr.

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1689 — To promote community involvement in and use, public schools.

The Senate reconsidered its action in passing House Bill No. 1689, adopted Senate Amendment No. 1, then repassed the bill on third and final reading, as amended,

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

331 — Relative to commending Department of Conservation;

337 — Relative to study, cost of hiking-bicycle trails;

353 — Relative to creating joint committee, laws relative to education of handicapped; all amended and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

366 — Relative to study, freeway route to Hendersonville By-Pass; concurred in by the Senate.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

1799 — To amend Section 4-523, Code.

The Senate concurred in House Amendment No. 1 and nonconcurred in House Amendment No. 2.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1595, 1764, 1803, 1847, 2026, 2150, 2186, 2408 and 2448, and House Joint Resolution No. 327; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 1918, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion of Mr. Fuqua, House Bill No. 1918 was returned to the Senate as requested.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.

198 — Relative to requesting Board of Pardons and Paroles, publish listing of all persons granted executive clemency; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

1842 — To create a state disaster relief fund;

2208 — To amend Section 60-116, Code;

2486 — To amend Chapter 20, Private Acts, 1955; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1668 — General Appropriations Bill.

The Senate refused to recede from its action in adopting Senate Amendments Nos. 1, 14, 16, 17, 18, 23, 26, 28, 30, 31, 33, 35, 37, 40, 44, 45, 46, 47, 49, 50, 51, 52, 57 and 62.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Burnett ( Fentress) filed the following motion in writing, which motion prevailed.

MR. SPEAKER: I move you, sir, that the House refuse to recede from its action in nonconcurring in Senate Amendments Nos. 1, 14, 16, 17, 18, 23, 26, 28, 30, 31, 33, 35, 37, 40, 44, 45, 46, 47, 49, 50, 51, 52, 57 and 62 to House Bill No. 1668, and that under Rule No. 70 a Conference Committee be appointed to meet with a like committee from the Senate on this bill to prepare a Conference Committee Report for this body's consideration, resolving the differences of the two bodies on House Bill No. 1668.

S. THOMAS BURNETT

Mr. Fuqua moved that the rules be suspended for the immediate consideration of House Bill No. 2564, which motion prevailed.

House Bill No. 2564 — To amend Charter, Humboldt.

Mr. Fuqua moved that House Bill No. 2564 be passed on third and final reading, which motion prevailed by the following vote:

Ayes..... 87  
Noes..... 0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burluson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lashlee, Ledford, Longley, McAfee, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 87.

A motion to reconsider was tabled.

Mr. Davidson (Wayne) moved that the rules be suspended for the immediate consideration of House Bill No. 2492, which motion prevailed.

House Bill No. 2492 — To amend Charter, Parsons.

Mr. Davidson (Wayne) moved that House Bill No. 2492 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	0
Present and not voting .....	2

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Brewer, Buck, Burks, Burselson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Tanner, Turner, Watson, Webb, Williams, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 87.

Representatives present and not voting were: Wallace and Wolfe — 2.

A motion to reconsider was tabled.

Mr. Smith moved that the rules be suspended for the purpose of introducing House Resolution No. 142 out of order, which motion prevailed.

House Resolution No. 142 — Relative to congratulating Coach Howard Rash of Holston High — By Smith, Miller, Nolan, Hall, Scruggs, Richards, and Jensen.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Smith, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Butler moved that the rules be suspended for the purpose of introducing House Resolution No. 141 out of order, which motion prevailed.

House Resolution No. 141 — Relative to congratulating Coach John Pipkin — By Butler.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Butler, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Love moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 520 out of order, which motion prevailed.

House Joint Resolution No. 520 — Relative to congratulating Coach Leroy Wright — By Love.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Love, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Good moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 516 out of order, which motion prevailed.

House Joint Resolution No. 516 — Relative to honoring Coach Dave Walker — By Good and Robinson (Washington).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Good, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Good moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 517 out of order, which motion prevailed.

House Joint Resolution No. 517 — Relative to honoring Coach Sonny Smith — By Good and Robinson (Washington).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Good, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Good moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 518 out of order, which motion prevailed.

House Joint Resolution No. 518 — Relative to honoring Coach Elvin Wesley Little — By Good and Robinson (Washington).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Good, the resolution was adopted.

A motion to reconsider was tabled.

#### FURTHER CONSIDERATION OF SENATE BILL NO. 1799

Senate Bill No. 1799 — To amend Section 4-523, Code.

Mr. Bussart moved that the motion to reconsider Senate Bill No. 1799 be lifted from the table, which motion prevailed.

Mr. Bussart moved that the House reconsider its action in passing Senate Bill No. 1799 on third and final reading, as amended, which motion prevailed.

Mr. Bussart moved that the House reconsider its action in adopting Amendment No. 2, which motion prevailed.

Mr. Cobb moved that Amendment No. 2 be withdrawn, which motion prevailed.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1799 by deleting the word "of" after the word "only" in the fourth line of the amendatory language of section 1 and substituting in lieu thereof the word "or" so that the fourth line, as amended, shall provide as follows:

"held at the request of either party, that any party or"

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1799, as amended, passed its third and final reading by the following vote:

Ayes.....	83
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Burks, Burlison, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 83.

A motion to reconsider was tabled.

Mr. Wallace moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 522 out of order, which motion prevailed.

House Joint Resolution No. 522 — Relative to commending Crockett High School basketball team — By Wallace.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wallace, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wallace moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 523 out of order, which motion prevailed.

House Joint Resolution No. 523 — Relative to commending Jackson South Side School girls basketball team — By Wallace and Murray (Madison).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wallace, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wallace moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 524 out of order, which motion prevailed.

House Joint Resolution No. 524 — Relative to commending Jackson South Side High School basketball team — By Wallace and Murray (Madison).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wallace, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wallace moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 525 out of order, which motion prevailed.

House Joint Resolution No. 525 — Relative to commending Jackson North Side girls basketball team — By Wallace and Murray (Madison).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wallace, the resolution was adopted.

A motion to reconsider was tabled.

#### MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 2255 with his veto.

EDDIE SISK,  
Counsel to the Governor.

Dear Speaker McWherter:

I hereby veto House Bill 2255.

House Bill 2255 would extend the jurisdiction of the State Board of Claims to include tort actions against foster parents under contract with the Tennessee Department of Human Services.

I am persuaded that House Bill 2255 establishes an undesirable precedent by including under the jurisdiction of the State Board of Claims the conduct of private individuals under contract with the State for the provision of foster care services. Furthermore, the bill limits the jurisdiction of the Board to only those contractors providing service to individuals placed by the Department of Human Services. It does not provide such jurisdiction over contractors who provide similar services to individuals placed by the Departments of Mental Health and Mental Retardation and Correction.

It is for these reasons that I take this action.

RAY BLANTON

NOTICE TO OVERRIDE VETO

MR. SPEAKER:

I hereby give notice, pursuant to House Rule 76, that I shall move to pass House Bill 2255, notwithstanding the objections of the Executive.

ROGER G. MURRAY, JR.

Under the rules, the notice lies over.

NOTICE TO OVERRIDE VETO

MR. SPEAKER:

I hereby give notice, pursuant to House Rule 76, that I shall move to pass House Bill 529 notwithstanding the objections of the Executive.

ROGER G. MURRAY, JR.

Under the rules, the notice lies over.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1563 — To make provisions, foster care review.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1563 by deleting the second paragraph of Section 1 in its entirety and substituting in lieu thereof the following new paragraph:

Tennessee Code Annotated, Section 37-1502, is amended by adding the following language to the end of the fourth sentence of the second paragraph of the Section:

and notwithstanding the failure of the parent to sign or to agree to such statement if the court finds the requirements of the statement are reasonable.

so that the sentence reads as follows:

Noncompliance by the parent to the statement of responsibilities provides grounds for termination of parental rights by the court notwithstanding other statutory provisions for termination of parental rights and notwithstanding the failure of the parent to sign or to agree to such statement if the court finds the requirements of the statement are reasonable.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1563 and further amended by deleting the word "semi-annually" in Section 1, Line 6, and by substituting instead the word "annually" so that the amended sentence reads:

"Such plans are subject to modification and shall be re-evaluated and updated at least annually except when a long term agreement has been made in accordance with this section."

SENATE AMENDMENT NO. 5

Amend House Bill No. 1563 by inserting a new Section 2 after Section 1 to read as follows:

SECTION 2. Tennessee Code Annotated, Section 37-1502, is amended by inserting a new paragraph between the second and third paragraphs to read as follows:

In any case in which the agency and the parent(s) are unable to agree on a statement of responsibilities within 30 days of the child's coming into custody or in any case in which the parent(s) refuse or neglect to sign the statement of responsibilities within 30 days of the child's coming into custody the agency shall make the fact known to the court. The court shall then take such action as may be necessary to ratify or approve a statement which it finds to be in the best interest of the child.

Ms. DeBerry moved that the House concur in Senate Amendments Nos. 1, 2 and 5, which motion prevailed by the following vote:

Ayes.....	78
Noes.....	0
Present and not voting .....	1

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 78.

Representative present and not voting was: Bragg — 1.

A motion to reconsider was tabled.

Mr. Hall moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 521 out of order, which motion prevailed.

House Joint Resolution No. 521 — Relative to congratulating Coaches Mary Evans and Bill Brown — By Hall, Smith and Jensen.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Hall, the resolution was adopted.

A motion to reconsider was tabled.

SECOND ROLL CALL

A roll call was taken with the following results:

Present .....	96
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Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burlison, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 96.

### INTRODUCTION OF RESOLUTIONS

House Resolution No. 134 — Relative to congratulating Garland P. Rose, Jr. — By Shockley and Nolan.

Under the rules, House Resolution No. 134 was referred to the Committee on Calendar and Rules.

House Resolution No. 136 — Relative to honoring Mr. Erwin W. Kieckhefer — By Gaia.

Under the rules, House Resolution No. 136 was referred to the Committee on Calendar and Rules.

House Resolution No. 137 — Relative to commending certain chapter, Daughters of American Revolution — By Gaia.

Under the rules, House Resolution No. 137 was referred to the Committee on Calendar and Rules.

House Resolution No. 140 — Relative to congratulating Sears, Roebuck and Company of Knoxville — By Richards, Jensen, Smith, Hall, Miller, Scruggs and Nolan.

Under the rules, House Resolution No. 140 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 510 — Relative to protesting racism in South Africa — By King, Ford (Shelby), DeBerry, Pruitt, Love, Murphy (Shelby), Robinson (Hamilton), Brewer, Withers and Kernell.

Under the rules, House Joint Resolution No. 510 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 512 — Relative to electing Dr. Malcolm D. Williams to Judicial Standards Commission — By Love and Pruitt.

Under the rules, House Joint Resolution No. 512 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 513 — Relative to congratulating Michael Kinzer — By Love.

Under the rules, House Joint Resolution No. 513 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 515 — Relative to electing Gina Hunter Carter, Judicial Standards Commission — By Brewer, DeBerry and King.

Under the rules, House Joint Resolution No. 515 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 519 — Relative to honoring Chancellor Alexander Heard — By Murphy (Davidson), Cobb, Ozment, Steinhauer, Clark, Fleming, Chiles, Ellis, Robinson (Davidson), Love and McKinney.

Under the rules, House Joint Resolution No. 519 was referred to the Committee on Calendar and Rules.

### INTRODUCTION OF BILLS

House Bill No. 2568 — To make certain provisions, Town of Eagleville — By Phillips.

Passed first reading.

House Bill No. 2569 — To amend Section 3-103, Code — By Ford (Cocke), Shockley and Atchley.

Passed first reading.

House Bill No. 2570 — To regulate compensation, County Attorney, Hawkins County — By Hurley.

Passed first reading.

### SENATE BILLS ON FIRST READING

Senate Bill No. 1942 — To amend Section 51-515, Code.

Passed first reading.

Senate Bill No. 1967 — To provide penalties for destroying trees, certain highway rights-of-way.

Passed first reading.

Senate Bill No. 2196 — To amend Chapter 162, Public Acts, 1967.

Passed first reading.

Senate Bill No. 2315 — To amend the Housing Authorities Law.

Passed first reading.

Senate Bill No. 2317 — To amend Sections 5-1103 and 6-1603, Code.

Passed first reading.

Senate Bill No. 2331 — To clarify status, law revision.

Passed first reading.

Senate Bill No. 2339 — To provide supplemental determinations, county population, certain purposes.

Passed first reading.

Senate Bill No. 2424 — To regulate deer hunting, Lincoln County.

Passed first reading.

Senate Bill No. 2455 — To permit capturing red foxes, Tipton County.

Passed first reading.

Senate Bill No. 2460 — To authorize appointment, additional deputies, certain counties.

Passed first reading.

Senate Bill No. 2466 — To amend Charter, Maryville.

Passed first reading.

Senate Bill No. 2494 — To levy privilege tax, lodgings, Sevier County.

Passed first reading.

#### HOUSE BILLS ON SECOND READING

House Bill No. 2566 — To make certain provisions, Juvenile Court, Kingsport.

Passed second reading and held without reference.

House Bill No. 2567 — To amend Charter, Kingsport.

Passed second reading and held without reference.

#### REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Tuesday, March 21, 1978: House Bills Nos. 2433, 944, 311, 2083, 2070, 2203, 1708, House Resolution No. 112, House Bills Nos. 2528, 1922, 2091, 2089, House Joint Resolution No. 479, House Bills Nos. 1701, 2393, 777, 2338, 2236, 614, 2444, 737, 1982 and 1896.

LANIER, Chairman.

#### LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2516, 2519, 2565, 2566 and 2567.

Mr. Jensen moved that Rule No. 75 be suspended in regard to House Bill No. 2573 to allow said bill to be introduced and considered by the House in the same manner as bills introduced before January 30, 1978, which motion prevailed.

Mr. McAfee moved that Rule No. 75 be suspended in regard to House Bill No. 2580 to allow said bill to be introduced and considered by the House in the same manner as bills introduced before January 30, 1978, which motion prevailed.

### INTRODUCTION OF BILLS

House Bill No. 2573 — To provide for filling vacancies, General Assembly — By Ashford and Johnson.

Passed first reading.

House Bill No. 2580 — To amend Charter, Signal Mountain — By McAfee.

Passed first reading.

### SPONSOR ADDED

Without objection, the rules were suspended to allow the following member to add his name as sponsor to the bill as indicated below, the prime sponsor having agreed to such addition:

House Bill No. 2026 — Robinson (Washington).

On motion of Mr. Hurley, his name was removed as sponsor of House Bill No. 2553.

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

2478 — To amend Chapter 289, Private Acts, 1976;

2480 — To amend Chapter 321, Private Acts, 1974;

2491 — To amend Charter, Lexington;

2509 — To regulate County Road Commission, Carroll County;

2510 — To establish Hawkins County Planning Commission;

2513 — To amend Charter, Cookeville;

2517 — To amend Charter, Franklin;

2521 — To amend Charter, Morristown;

2522 — To set term, Recorder and Tax Collector, Morristown;

2523 — To provide for election, superintendent of education, Meigs County;

2527 — To amend Chapter 346, Private Acts, 1947;

2529 — To amend Chapter 228, Private Acts, 1967;

2530 — To amend Chapter 162, Private Acts, 1972;

2531 — To amend Charter, Brownsville;

2532 — To make certain provisions, Clarksville City Council;

2534 — To amend Chapter 260, Private Acts, 1974;

2535 — To establish corporate limits, Eagleville;

2540 — To provide for referendum, board of education, Hamilton County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

11 — To amend Section 67-3012, Code;

1595 — To amend Section 54-1005, Code;

1910 — To create Local Development Authority;

2026 — To amend Section 67-3002, Code;

2047 — To amend Section 6-2610, Code;

2103 — To amend Title 12, Chapter 2, Code;

2144 — To create position of Criminal Investigator, Seventeenth Judicial Circuit;

2191 — To amend Section 13-1410, Code;

2214 — To amend Employment Security Law;

2314 — To establish liability and penalties, fraudulent use of electrical power; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

#### ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1721, 1852, 2283, 2492 and 2564; and House Joint Resolutions Nos. 516, 517, 518,

520, 521, 522, 523, 524 and 525; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

On motion of Mr. Burnett (Fentress), the House adjourned until 1:00 p.m. tomorrow.